

Notice of Allowability

Application No.

09/612,142

Examiner

Andrew L. Nalven

Applicant(s)

FEIGEN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment submitted 8/31/04.
2. ☒ The allowed claim(s) is/are 1,3-10 and 12-18.
3. ☒ The drawings filed on 07 July 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brett Carlson (Reg. No 39.928) on 16 December 2004.

The application has been amended as follows:

Claim 1. A method for use in verifying the integrity of a remote unit in a communication system, said method comprising:

- generating a random value;
- determining memory range information identifying a range of memory space within the remote unit having data to be hashed by a hashing function;
- determining position information indicative of a position within a data stream to be generated within the remote unit at which said random value is to be located;
- delivering said random value, said memory range information, and said position information to the remote unit for use by the remote unit in performing a hashing operation; and

receiving a hash value from said remote unit, said hash value being a result of a hashing operation performed within said remote unit based upon said random value, said memory range information, and said position information delivered to the remote unit.

Claim 3. The method claimed in claim 1, further comprising the step of:

comparing said hash value received from said remote unit to a hash value generated outside said remote unit to determine whether modifications have been made within said remote unit.

Claim 7. A computer readable medium having program instructions stored thereon that implements the method of claim 1 when executed within a digital processing device.

Claim 8. A communication apparatus for use in verifying the integrity of a remote unit in a communication system, comprising:

a random value generator for generating a random value;

a memory range determination unit for determining memory range information identifying a memory range within the remote unit for use in generating a data stream that will be processed by a hashing function within the remote unit;

a location determination unit for determining location information that is indicative of a position within the data stream generated within the remote unit at which said random value is located;

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a transmitter for transmitting said random value, said memory range information, and said location information to the remote unit for use in performing a hashing operator therein;

a local memory storing information that is representative of information that should be stored in the remote unit; and

a hash unit for performing a hashing operation on information stored within said local memory to generate a control value, said hashing operation being performed using said random value, said memory range information, and said location information.

Claim 12. The communication apparatus of claim 8, further comprising:

a receiver for receiving a hash value from the remote unit, said hash value having been generated within the remote unit by performing a hashing operation within the remote unit based upon said random value, said memory range information, and said location information.

1. The following is an examiner's statement of reasons for allowance: Examiner's amendment has amended claim 1 to remove the term "randomly" from the determining memory range information and determining position information limitations, to move the limitations of claim 2 into claim 1, to change the wording of claim 7 to read "that implements" instead of "for use in implementing," and to move the limitations of claim 11 into claim 8. The cited prior art Field et al US Patent No. 6,253,324 and Moskowitz et al

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US Patent No. 5,822,432, teach a server verifying memory integrity of clients and methods of random key generation and application for digital watermarks. The cited prior art fails to teach "determining position information indicative of a position within a data stream to be generated within the remote unit at which said random value is to be located" as presented in independent claims 1, 8, and 15. As such, the cited prior art fails to anticipate or render obvious the cited independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

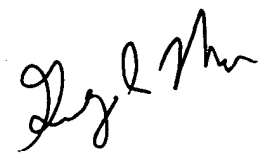
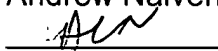
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 571 272 3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven



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